



# CCM 2015 Testimony

900 CHAPEL STREET, 9th FLOOR, NEW HAVEN, CT 06510-2807 PHONE (203) 498-3000 FAX (203) 582-8314

Your source for local government management information [www.ccm-ct.org](http://www.ccm-ct.org)

## ***LABOR & PUBLIC EMPLOYEES COMMITTEE***

January 29, 2015

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 92% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

HB 5211 would amend state statute to establish that decisions rendered pursuant to the arbitration of unfair labor practices be issued not later than sixty days after the post-hearing briefs are filed.

CCM supports HB 5211 and has long advocated for this proposal as a reasonable solution to make the local grievance arbitration process more manageable for both parties involved.

Many municipal collective bargaining agreements call for arbitrating grievances before a panel of the State Board of Mediation and Arbitration (SBMA). Current statutes state that an arbitration decision shall be issued within 15 days. However, as a result of attorney general opinions and court rulings, this deadline was found to be only "directory" and not mandatory. As a result, management and unions can sometimes wait six months, and in a few egregious situations up to a year, to get a grievance arbitration award. **Such delays are unfair to an employee or group of employees whose grievance is in arbitration, and equally unfair to the union and management.** The delays are particularly harmful in cases where there may be back pay liability, such as a case involving termination or suspension.

There is precedent for a proposal such as HB 5211 – as Connecticut's arbitration act, which does not apply to the SBMA, requires that an award be issued within 30 days unless the parties' contract has a difference deadline or the parties agree to an extension (see Conn. Gen. Stat. 52-416). The American Arbitration Association's labor arbitration rules require that an arbitrator issue his/her decision within 35 days of the close of a hearing and filing of briefs. There should be the same sort of mandatory deadline for issuance of SBMA arbitration awards.

Simply put, Connecticut cannot go on conducting business as usual. Whether we like it or not, we are in an era of limits. **Every mandate has its constituency – but it's time to make the difficult decisions necessary so that we will be able to maintain core government services while still protecting employee rights.**

CCM urges the Committee to favorably report HB 5211.



If you have any questions, please contact Bob Labanara, State Relations Manager, CCM at [rlabanara@ccm-ct.org](mailto:rlabanara@ccm-ct.org) or (203) 498-3023.